

REMARKS

Reconsideration of the Application is respectfully requested.

I. Status of the Claims

Claim 1 - 9, 11, 12 and 14 - 20 are pending, with claims 10 and 13 having previously been canceled.

Claims 18 and 21 are canceled without prejudice or disclaimer.

Claim 1 - 9, 11, 12, 14 - 17, 19 and 20 are amended. No new matter is introduced. Support for the amendments may be found, for example, with reference to Applicants' specification at page 8, line 20; page 16, lines 10 - 22; page 17, line 26 through page 18, line 1; page 20, lines 11 and 22; page 22, lines 9 - 10 and 15 - 20; and page 23, lines 17 - 27.

II. Rejections Under 35 U.S.C. § 103

Claims 1-8, 11, 12, 14-16 and 18-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over International Patent Publication No. WO 9910193 to Wierlacher ("Wierlacher") in view of U.S. Patent No. 5,618,282 to Schlangen ("Schlangen"). Claims 9 and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Wierlacher in view of Schlangen and further in view of U.S. Patent No. 6,332,878 to Wray et al. ("Wray"). As claims 18 and 21 are canceled, the rejection as to claims 18 and 21 is moot. Applicants amend claims 1 - 9, 11, 12, 14 - 17, 18 and 20 to further define the nature of their invention, and respectfully traverse the rejection of claims 1 - 9, 11, 12, 14 - 17, 19 and 20 under 35 U.S.C. § 103(a).

In amended independent claim 1, Applicants claim:

1. An interlabial pad which is folded along a longitudinal centerline to be worn by a wearer, the pad comprising:

a body side face orientated toward a body side of the wearer;

an opposite side face to the body side face facing an opposite body side and having a low friction shape with fine changes on each of first and second surfaces of the opposite side face, the first and second surfaces facing each other when said interlabial pad is folded along the longitudinal centerline, the low friction shape enabling a reduction in a resisting force when the first surface is sliding against the second surface to make right and left phase shifts when the interlabial pad is worn ; and

a mini sheet piece which is attached to the opposite side face of said interlabial pad, said mini sheet piece being extensible so as not to interfere with the right and left phase shifts of the first and second surfaces, wherein:

the low friction shape includes at least one of:

- i) a film member formed by a laminated fiber composite that is combined with a resin, the laminated fiber composite providing an unevenness on each of the first and second surfaces, or
- ii) a film member formed by a laminated fiber composite that is combined with a resin, the film member being processed to provide protruding parts and receding parts of the film member on each of the first and second surfaces, the protruding parts being pitched to avoid catching among the protruding parts when the first surface is sliding against the second surface.

(Emphasis added).

Wierlacher discloses an interlabial pad that is folded along a longitudinal center line to be worn by a wearer, includes a body-side face oriented towards the wearer, an opposite side face to the body side face, and a mini sheet piece attached to the opposite side face. The Examiner acknowledges, however, that Wierlacher fails to disclose that the opposite side face includes a low friction shape with fine changes, but suggests that this feature is taught by Schlangen.

Schlangen discloses an absorbent article having a cover with a body-facing surface and a baffle with a garment-facing surface, with absorbent material positioned between the two surfaces. The baffle functions to provide a barrier to the passage of absorbed liquids toward the garment side, , and to soft and compliant enough to be placed against the thigh of a wearer (see, e.g., Col. 4: 17 - 29 of Schlangen). Schlangen notes that suitable materials for the baffle include a micro-embossed polymeric (permitting the passage of vapor while retaining the liquid), or a woven or non-woven fabric that has been impregnated to become liquid impermeable.

In sharp contrast to Applicants' invention as claimed in amended independent claim 1, Schlangen fails to disclose or suggest that the baffle may be a film member formed as the combination of a laminated fiber composite and a resin, in which the topology of the laminated fiber composite is in and of itself used to provide an unevenness on each of first and second sliding surfaces, or is in addition embossed at a pitch that avoids catching among protruding parts of the laminated fiber composite that are thereby produced between the first and second sliding surfaces. As a result, Applicants respectfully submit that the combination of Wierlacher and Schlangen fails to teach each and every element of Applicants' interlabial pad of amended independent claim 1, and that amended independent claim 1 is therefore non-obvious in view of these references and allowable.

Claim 9 has been amended in an independent form, and includes that same features of the low friction shape of amended independent claim 1 that are argued above as distinguishing over the cited references. Therefore, for at least these same reasons, Applicants respectfully submit that amended independent claim 9 is non-obvious and allowable. As claims 2 - 8, 11, 12, 14 - 17, 19 and

20 each depend either directly or indirectly from one of allowable claims 1 and 9, Applicants submit that dependent claims 2 - 8, 11, 12, 14 - 17, 19 and 20 are also allowable for at least this reason.

Applicants respectfully request that the rejection of claims 1 - 9, 11, 12, 14 - 17 19 and 20 under 35 U.S.C. § 103(a) be withdrawn.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

The Examiner is respectfully requested to contact the undersigned at the telephone number indicated below if the Examiner believes any issue can be resolved through either a Supplemental Response or an Examiner's Amendment.

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Respectfully submitted,

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